

Honorable Benjamin H. Settle

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT TACOMA**

LDK SOLAR CO., LTD, a People's Republic
of China corporation,

Plaintiff,

VS.

SILICON & SOLAR, LLC, a Washington limited liability company; SILICON & SOLAR MFG., LLC, a Washington limited liability company; RMD HOLDINGS, LLC, a Washington limited liability company; ECOTECH RECYCLING, LLC, a Washington limited liability company; RENIE M. DUVALL; JOHN DOE DUVALL; and the marital community comprised of RENIE M. DUVALL and JOHN DOE DUVALL.

Defendants.

NO. 3:09-cv-5518 BHS

**STIPULATED MOTION AND
PROPOSED ORDER**

NOTE ON MOTION CALENDAR:

May 5, 2010

Clerk's Action Required

STIPULATED MOTION

Plaintiff LDK Solar Co., Ltd paid defendant Silicon & Solar, LLC for product that Silicon & Solar, LLC did not deliver. Silicon & Solar, LLC contends that it has been unable to

STIPULATION AND PROPOSED ORDER

(3:09-cv-5518 BHS)

439921/050710 1145/78730001

- 1 -

**Betts
Patterson
Mines**
One Convention Place
Suite 1400
701 Pike Street
Seattle, Washington 98101-3927
(206) 292-9988

1 deliver the product because its subsuppliers have not honored their contracts to deliver raw
2 materials or delivered substandard and nonconforming materials. Accordingly, LDK Solar Co.,
3 Ltd. and Silicon & Solar, LLC jointly move to stay this action for six months' time so that they
4 may together determine whether it would be profitable to cooperatively pursue Silicon &
5 Solar's subsuppliers to effect additional recoveries. LDK has conducted discovery and Silicon
6 and Solar as well as the individual defendants have fully responded with information in a
7 timely fashion. The individual defendants have no objections to the stay

8 No later than November 5, 2010 LDK Solar Co., Ltd. will inform the Clerk of the Court
9 whether LDK Solar Co., Ltd. will dismiss its claims against Silicon & Solar, LLC and/or the
10 remaining defendants; jointly seek another stay; or ask that this case be reinstated on the
11 Court's calendar.

12 DATED this 5th day of May, 2010.

13 BETTS, PATTERSON & MINES, P.S.
14
15 By /s/ James D. Nelson
16 James D. Nelson, WSBA #11134
17 BETTS PATTERSON & MINES, P.S.
18 One Convention Place, Suite 1400
19 701 Pike Street
20 Seattle, Washington 98101-3927
21 (206) 292-9988
22 (206) 343-7053 (Facsimile)
23 jnelson@bpmlaw.com
24
25 Attorneys for Plaintiff

STIPULATION AND PROPOSED ORDER

(3:09-cv-5518 BHS)

439921/050710 1145/78730001

- 2 -

Betts
Patterson
Mines
One Convention Place
Suite 1400
701 Pike Street
Seattle, Washington 98101-3927
(206) 292-9988

1 GORDON, THOMAS, HONEYWELL, MALANCA,
2 PETERSON & DAHEIM LLP
3

4 By /s/ Stephanie Bloomfield
5

Stephanie Bloomfield, WSBA # 24251
GORDON, THOMAS, HONEYWELL, MALANCA,
PETERSON & DAHEIM LLP
PO Box 1157
Tacoma, WA 98401-1157
(253) 620-6514
(253) 620-6565 (Facsimile)
sbloomfield@gth-law.com

9
10 Attorneys for Defendants

11 ORDER
12

Pursuant to the foregoing stipulation of the parties, IT IS SO ORDERED.

13 DATED: May 7, 2010.
14

15 
16 BENJAMIN H. SETTLE
17 United States District Judge

18 Lodged by:
19

BETTS, PATTERSON & MINES, P.S.
20

21 By /s/ James D. Nelson
22 James D. Nelson, WSBA #11134
23 Victoria M. Pond, WSBA #33159
24 Attorneys for Plaintiff LDK Solar Co., Ltd
25

STIPULATION AND PROPOSED ORDER

(3:09-cv-5518 BHS)

439921/050710 1145/78730001

- 3 -

Betts
Patterson
Mines
One Convention Place
Suite 1400
701 Pike Street
Seattle, Washington 98101-3927
(206) 292-9988